

**CERTIFICATION OF ADMINISTRATIVE RULES
OF THE DEPARTMENT OF REVENUE
FILED WITH THE SECRETARY OF STATE
BRIAN P. KEMP**

(Pursuant to O.C.G.A. §§ 50-13-3, 50-13-4 and 50-13-6.)

I do hereby certify that the attached Rules are correct copies as promulgated and adopted on the 2nd of March, 2010.

GEORGIA DEPARTMENT OF REVENUE

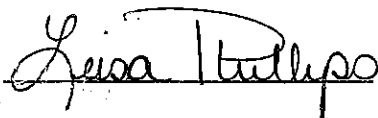
Filing Date: March 2nd, 2010.

The Georgia Department of Revenue has adopted:

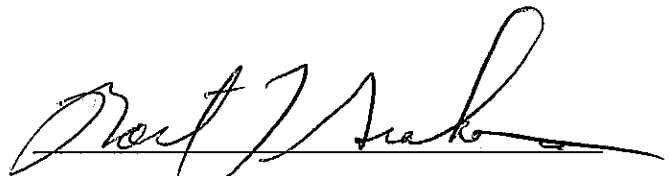
- Rule 560-10-31-.01, entitled "Definitions"
- Rule 560-10-31-.02, entitled "Registration Dates"
- Rule 560-10-31-.03, entitled "Responsibility of a Motor Carrier"
- Rule 560-10-31-.04, entitled "Responsibility of an Insurance Carrier"
- Rule 560-10-31-.05, entitled "Fees"
- Rule 560-10-31-.06, entitled "Forms"
- Rule 560-10-31-.07, entitled "Certificate of Insurance"

The aforementioned Rules are being adopted under the authority of O.C.G.A. §§ 40-2-11, and 40-2-140.

Sworn to and subscribed before me this 2nd day of March, 2010.



(Signature of Notary Public)
(Notary Public Seal)



Bart L. Graham
Commissioner
Georgia Department of Revenue

Notary Public, Spalding County, Georgia
My Commission Expires June 14, 2010

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.01 – Definitions

(1) A used in these Regulations the following terms shall be defined as:

(a) "Application" shall mean the application in the manner prescribed by the Commissioner.

(b) "Cab Card" shall mean a registration issued to the intrastate motor carrier for each vehicle registered.

(c) "Certificate of Cancellation of Insurance" shall mean the certificate showing the cancellation of the Motor Carrier's insurance policy.

1. The certificate shall be filed with FMCSA or the Commissioner in the manner prescribed by the Commissioner.

(d) "Certificate of Insurance" shall mean the Motor Carrier's certificate of insurance filed with FMCSA or the Commissioner in a manner prescribed by the Commissioner.

(e) "Commercial Motor Vehicle" shall have the same meaning as provide for in O.C.G.A. § 40-1-1 (8.3).

(f) "FMCSA" shall mean the Federal Motor Carrier Safety Administration of the Federal Department of Transportation.

(g) "Intrastate for-hire Motor Carrier" shall mean a Motor Carrier that provides transportation of cargo belonging to others and may receive compensation for services.

(h) "Intrastate Motor Carrier" shall mean a Motor Carrier operating exclusively within the borders of Georgia.

(i) "Interstate Motor Carrier" shall mean a Motor Carrier operating in two or more states, including Georgia.

(j) "Late Registration" shall mean any application submitted to the Department on or after December 1 each year, unless otherwise provided for in this Regulation.

(k) "Motor Carrier" shall have the same meaning as provide in O.C.G.A § 40-2-1 (4).

(l) "Private Carrier" shall mean a Motor Carrier that provides transportation of its own cargo, usually as part of the carrier's business.

(m) "Public Liability Insurance" means a certificate of financial responsibility issued by an insurance company licensed in this state in accordance with the Federal Motor Carrier Safety Administration (FMCSA) 49 CFR Part 387.

(n) "Register" shall mean making application, submitting applicable fees, and receiving approval from the Department prior to any operation in Georgia.

(o) "Registration Certificate" shall mean a certificate issued to the Motor Carrier upon approval by the Commissioner of such registration.

(p) "Registration Period" shall mean the period of October 1 to November 30 each year.

(q) "Reinstatement Fee" shall mean the additional fee to register any commercial vehicle with a suspended registration and no insurance for more than ten (10) days.

(r) "Self Insurance" shall mean a self insurance plan filed with and accepted by the FMCSA.

(s) "UCRA" shall mean the federal Unified Carrier Registration Act of 2005 pursuant to 49 U.S.C. Section 13908.

(t) "Vehicle" shall mean any motor vehicle, truck, truck tractor, or trailer subject to the UCRA.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.02 – Registration Dates

(1) Motor Carriers currently holding a permit issued under the provisions of O.C.G.A § 46-7-15 subsections (a) through (d) and 46-7-15.1 shall be required to register under these rules no later than December 31, 2009.

(a) If such Motor Carrier is an Interstate Motor Carrier registration shall begin on October 1, 2009.

(b) If such Motor Carrier is an Intrastate for-hire Motor Carrier registration shall begin on October 1, 2009.

(c) If such Motor Carrier is an Intrastate private Motor Carrier registration shall begin on April 1, 2010.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.03 – Responsibility of a Motor Carrier

(1) Responsibility of a Motor Carrier:

(2) Every Motor Carrier shall acquire and maintain public liability insurance.

(3) Every Motor Carrier in Georgia shall Register and maintain a valid registration with the Department each year prior to operating any Commercial Motor Vehicle.

(4) Such registration shall remain valid:

(a) Until the end of the current year's Registration Period,
or

(b) Upon the termination of the Motor Carrier's public liability insurance.

(5) Any Motor Carrier that fails to Register and maintain a valid registration shall be subject to the penalties set forth in O.C.G.A. § 40-2-140.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.04 - Responsibility of an Insurance Carrier

(1) An insurance carrier that provides public liability insurance to commercial motor carriers shall provide a copy of such insurance policy to the Department.

(a) An insurance carrier may provide a copy of an insurance policy for an interstate motor carrier to the Department by:

1. Filing with the FMCSA as provided in 49 CFR Part 387.

(b) An insurance carrier may provide a copy of an insurance policy for an intrastate motor carrier to the Department by:

1. Filing electronically in a form prescribed by the Department.

2. Submitting a certificate of insurance as prescribed by the Department for intrastate carriers.

3. Filing with the FMCSA as provided in 49 CFR Part 387.

(2) An insurance carrier that provides public liability insurance to motor carriers that no longer maintain a certificate of insurance shall send notification of cancellation of such insurance to the Department by:

(a) An insurance carrier may provide notice of cancellation of an insurance policy for an interstate motor carrier to the Department by:

1. Filing with the FMCSA as provided in 49 CFR Part 387.

(b) An insurance carrier may provide notice of cancellation of an insurance policy for an intrastate motor carrier to the Department by:

1. Filing electronically in a form prescribed by the Department.
2. Submitting a certificate of insurance as prescribed by the Department for intrastate carriers.
3. Filing with the FMCSA as provided in 49 CFR Part 387.

(3) An application and certificate of insurance, if filed with the Commissioner, shall be provided to a person who has a cause of action against the Motor Carrier.

(a) Any request for an application and certificate of insurance shall be made to the Commissioner in writing and accompanied by a statement of facts setting forth the cause of action.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.05 - Fees

(1) Intrastate Motor Carriers shall register and pay to the Department each year the follow fees:

(a) For each commercial motor vehicle, a registration fee of five dollars and no cents (\$5.00).

(b) For each commercial motor vehicle, a late registration penalty of twenty-five dollars and no cents (\$25.00) registered after the expiration of the carrier's registration.

(c) For each commercial motor vehicle, a reinstatement fee of fifty dollars and no cents (\$50.00).

(2) Any request for a Motor carrier Application and certificate of Insurance shall be accompanied by a fee of ten dollars and no cents (\$10.00).

(a) The Department shall provide the records of the motor carrier registration for a period not to exceed five (5) years.

(b) If available, the Department shall provide a copy of any application and insurance filing.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.06 – Forms

(1) Form "E" shall mean a Uniform Motor Carrier Bodily Injury and Property Liability Certificate of Insurance for intrastate motor carriers.

(a) An insurance company may use Form "E" as provided by the National Association of Regulatory Utilities Commissioner.

(2) Form "K" shall mean a Uniform Notice of Cancellation of Motor Carrier Insurance Policies for intrastate motor carriers.

(a) An insurance company may use Form "K" as provided by the National Association of Regulatory Utilities Commissioner.

(3) Form "IR-1/E-1" shall mean an application for the registration of vehicle engaged in intrastate exempt passenger commerce.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-31
COMMERCIAL VEHICLES**

560-10-31-.07 – Certificate of Insurance

(1) Certificates of insurance evidencing coverage shall be written in the full and correct name of the individual or entity to whom the certificate is currently issued to, or is to be issued to.

(2) Certificates of insurance evidencing coverage shall be continuous and no lapse in insurance coverage is permitted.

(a) Written notice shall be provided to the Department prior to any cancellation, withdrawal, or any other material change to a policy resulting in any lapse of coverage.

(3) On the effective date of cancellation, a Motor Carrier's registration shall be suspended indefinitely until a new certificate of insurance evidencing coverage is received by the Department.

(4) A Motor Carrier operating without a current certificate of insurance shall pay a reinstatement fee to the Commissioner for any period more than ten (10) days.

Authority: O.C.G.A. §§ 40-2-11 and 40-2-140.